

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Lisa M Ortiz

Case No.: 14-35174
Judge: ABA
Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

- | | | |
|---|--|--|
| <input type="checkbox"/> Original | <input checked="" type="checkbox"/> Modified/Notice Required | <input checked="" type="checkbox"/> Discharge Sought |
| <input type="checkbox"/> Motions Included | <input type="checkbox"/> Modified/No Notice Required | <input type="checkbox"/> No Discharge Sought |

Date: 4/11/2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 160.00 per month to the Chapter 13 Trustee, starting on May 1, 2017 for approximately 32 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Seymour Wasserstrum, Esq.	Legal fees	\$3,060.00 (+ \$2,250.00 in supplemental fees upon Court approval)
IRS	Taxes	\$2,374.60
State of New Jersey	State Taxes	\$0.00

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

M&T Bank - Mortgage on Residence - To be maintained outside of the Plan; Arrears were cured via loan modification.

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☒ Not less than \$ 0.00 to be distributed *pro rata*

☐ Not less than 100 percent

☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Priority Claims
- 3) Secured Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 4/11/2017.

Explain below **why** the plan is being modified:

To list M&T Bank as unaffected by the plan due to the loan modification that the Debtor received.

Explain below **how** the plan is being modified:

To list M&T Bank as unaffected by the plan due to the loan modification that the Debtor received.

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes ☐ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 4/11/2017

/s/ Seymour Wasserstrum
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 4/11/2017

/s/ Lisa M Ortiz
Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Lisa M Ortiz
 Debtor

Case No. 14-35174-ABA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf901

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 Total Noticed: 31

Date Rcvd: Apr 13, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 15, 2017.

db
 515228428 +Lisa M Ortiz, PO Box 903, Sicklerville, NJ 08081-0903
 515228429 +Atlantic County Superior Court, 1201 Bacharach Blvd, Atlantic City, NJ 08401-4526
 515228430 +Camden County Superior Court, 101 South 5th Street, Camden, NJ 08103-4001
 515228431 +Capital One, PO Box 30281, Salt Lake City, UT 84130-0281
 515228432 +Diversified Adjustment, Sprint, 600 Coon Rapids Blvd NW, Coon Rapids, MN 55433-5549
 515289369 +Drs, Rosen & Dworkin PA, 350 Rt 73 S, Marlton, NJ 08053-2004
 515228434 +ER Solutions, Sprint, 800 SW 39th Street, Renton, WA 98057-4975
 515228435 +First Premier, 601 S Minnesota Ave, Sioux Falls, SD 57104-4824
 515228436 +Gloucester County Superior Court, 1 North Broad Street, Woodbury,, NJ 08096-4602
 515228437 +Hsbc Bank, PO Box 5253, Carol Stream, IL 60197-5253
 515228446 +Nco Financial Service/99, TD Bank, 507 Prudential Rd, Horsham, PA 19044-2308
 515228448 Office Of Attorney General, Richard J Hughes Justice Complex, 25 Market St, P.O. Box 112, Trenton, NJ 08625-0112
 515228450 +Recovery Partners, Target National Bank, 4151 N Marshall Way Ste 12, Scottsdale, AZ 85251-3839
 515228452 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245, TRENTON NJ 08646-0245
 (address filed with court: State Of New Jersey, Divison Of Taxes, P.O. Box 245, Trenton, NJ 08695)
 515228451 +South Jersey Gas, PO Box 577, Hammonton, NJ 08037-0577
 515228453 +Tribute/FBOD, PO Box 105555, Atlanta, GA 30348-5555
 515228454 +Trojan Professional Services, Drs Rosen Dworkin, 4410 Cerritos Ave, Los Alamitos, CA 90720-2549

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Apr 13 2017 22:41:43 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Apr 13 2017 22:41:39 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
 lm E-mail/Text: camanagement@mtb.com Apr 13 2017 22:41:29 M&T Bank, PO Box 840, Buffalo, NY 14240
 515228427 +E-mail/Text: mary.stewart@abcofcu.org Apr 13 2017 22:42:20 Abco Federal Credit Union, PO Box 247, Rancocas, NJ 08073-0247
 515228431 +E-mail/Text: creditonebknotifications@resurgent.com Apr 13 2017 22:41:03 Credit One Bank, PO Box 98873, Las Vegas, NV 89193-8873
 515228433 +E-mail/Text: bknotice@erccollections.com Apr 13 2017 22:41:45 Enhanced Recovery Co LLC, Sprint, 8014 Bayberry Rd, Jacksonville, FL 32256-7412
 515228438 E-mail/Text: bankruptcy@icsystem.com Apr 13 2017 22:42:13 IC Systems, SJ Cohen D, 444 Highway 96 East PO Box 64437, St Paul, MN 55164-0437
 515228442 +E-mail/Text: cio.bncmail@irs.gov Apr 13 2017 22:41:12 Internal Revenue Service, 1601 Market Street, Philadelphia, PA 19103-2309
 515228443 +E-mail/PDF: resurgentbknotifications@resurgent.com Apr 13 2017 22:32:38 LVNV Funding LLC, Marin, PO Box 10497, Greenville, SC 29603-0497
 515228444 E-mail/Text: camanagement@mtb.com Apr 13 2017 22:41:29 M&T Bank, PO Box 1288, Buffalo, NY 14240
 515228445 +E-mail/Text: bankruptcydpt@mcmcg.com Apr 13 2017 22:41:39 Midland Credit Management, Tribute Mastercard, 8875 Aero Drive, San Diego, CA 92123-2255
 515228447 +E-mail/PDF: bankruptcy@ncfsi.com Apr 13 2017 22:32:38 New Century Financial SE, Hsbc Card Services Inc, 110 S Jefferson Rd # 104, Whippany, NJ 07981-1038
 515228449 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 13 2017 22:38:15 Portfolio Recovery Associates, Capital One Bank, 120 Corporate BLVD STE 100, Norfolk, VA 23502
 515299272 +E-mail/Text: JCAP_BNC_Notices@jcap.com Apr 13 2017 22:41:53 Premier Bankcard, Llc., c o Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-7999
 TOTAL: 14

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

515228440* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346, PHILADELPHIA PA 19101-7346
 (address filed with court: Internal Revenue Service, PO Box 724, Springfield, NJ 07081)
 515228439* Internal Revenue Service, Special Procedure Branch, PO Box 744, Springfield, NJ 07081-0744
 515228441* +Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
 515282215* ++M&T BANK, LEGAL DOCUMENT PROCESSING, 1100 WHERLE DRIVE, WILLIAMSVILLE NY 14221-7748
 (address filed with court: M&T BANK, PO BOX 1288, Buffalo, NY 14240)
 515368869* ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245, TRENTON NJ 08646-0245
 (address filed with court: State of New Jersey, Division of Taxation, Bankruptcy Section, PO Box 245, Trenton, NJ 08695-0245)

TOTALS: 0, * 5, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

District/off: 0312-1

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 31

Date Rcvd: Apr 13, 2017

***** BYPASSED RECIPIENTS (continued) *****

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 15, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 11, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Lakeview Loan Servicing, LLC dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmil@standingtrustee.com,
summarymail@standingtrustee.com
Isabel C. Balboa ecfmil@standingtrustee.com, summarymail@standingtrustee.com
Isabel C. Balboa (NA) on behalf of Trustee Isabel C. Balboa ecfmil@standingtrustee.com,
summarymail@standingtrustee.com
Joshua I. Goldman on behalf of Creditor Lakeview Loan Servicing, LLC jgoldman@kmlawgroup.com,
bkgroup@kmlawgroup.com
Seymour Wasserstrum on behalf of Loss Mitigation M&T Bank mylawyer7@aol.com,
ecf@seymourlaw.net
Seymour Wasserstrum on behalf of Debtor Lisa M Ortiz mylawyer7@aol.com, ecf@seymourlaw.net
TOTAL: 7